

**MEMO ENDORSED**

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VIA ECF ONLY

Hon. Valerie E. Caproni, U.S.D.J.  
United States District Court, S.D.N.Y.  
40 Foley Square, Room 443  
New York, New York 10007

Re: Anthony Velez v. Girraphic LLC  
20 Civ. 5644 (VEC)(RWL)

Dear Judge Caproni:

I represent Anthony Velez, Plaintiff in the above-referenced action. I write to request an adjournment of the Initial Pretrial Conference (“IPTC”) in this matter, which is currently scheduled for Friday, September 11, 2020, at 12:00 p.m. This is the first request for adjournment of the IPTC.

Shortly after the complaint was filed and before the Order scheduling the IPTC was issued, I sent a Notice of Lawsuit and Request for Waiver of Service to Barry Janay, Esq., who was then representing Defendant Girraphic LLC. When I received your Order scheduling the IPTC, I sent the Order to Mr. Janay and let him know I was open to requesting an extension since the IPTC was scheduled for a time that would precede Defendant responding to the Complaint. I received no reply. When the deadline for receipt of the waiver passed last week, I again reached out to Mr. Janay but received no reply. Thus, I have had no conversations with Mr. Janay about scheduling in this matter. Nor have I received any notification from Mr. Janay that he no longer represents Defendant.

On Thursday, August 27, 2020, I requested that a Summons be issued by the Clerk of the Court and on Friday, I engaged a process server to serve the Summons and Complaint. To my knowledge, service has not yet been effectuated but will be soon. This means that Defendant will not answer or move in response to the Complaint for more than three weeks from now.

Under these circumstances, it is respectfully requested that the Court adjourn the IPTC to a date at the Court’s convenience that is at least 45 days from the current scheduled date of September 11, 2020.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Margaret McIntyre

cc: Barry E. Janay, Esq. - (by email and regular mail)  
Law Office of Barry E. Janay, PC

Application GRANTED in part. The IPTC scheduled for September 11, 2020, is adjourned until **September 25, 2020, at 11:00 a.m.** The parties' joint letter and proposed Case Management Plan are due not later than **September 17, 2020.**

SO ORDERED.



09/01/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE